IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,   )
)
         Plaintiff,   )
)
         v.   )   Case No. 10-cr-30241-MJR
)
ALFONSO MCGEE,   )
)
         Defendant.   )

ORDER REGARDING MOTION TO REDUCE SENTENCE

REAGAN, District Judge:

On November 14, 2011, Defendant Alfonso McGee filed with the Clerk's Office of this Court a motion for appointment of counsel and seeking to reduce his sentence based on the United States Sentencing Commission's recent promulgation of amendments to the Sentencing Guidelines (Doc. 34). The Commission took this action following the passage of the Fair Sentencing Act of 2010, Pub. L. No. 111-120, 124 Stat. 2372 (2010). That Act required the Guidelines to be brought into conformity with substantive provisions reducing the criminal penalties for certain crack cocaine offenses. The result was Amendment 750, under which Defendant now seeks a sentence reduction.

Amendment 750 took effect on November 1, 2011, and will be applied retroactively. There is no guarantee that the undersigned Judge will agree that Amendment 750 applies to Defendant's sentence or that a reduction is appropriate in the instant case. The Court enters this Order simply to explain how Defendant's motion will be handled.

On July 20, 2011, Chief Judge David R. Herndon issued Administrative Order 137. Pursuant to that Order, (a) the Federal Public Defender for the Southern District of Illinois is appointed to represent Defendant McGee on this motion; (b) the motion has been docketed

with the Clerk's Office as "Doc. 34"; and (c) the Government is not required to respond to the motion at this time.   The Court expects that defense counsel will contact Defendant regarding the motion.   A copy of Administrative Order 137 will be provided to Defendant with this Order.

IT IS SO ORDERED.

DATED November 15, 2011

s/Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge